

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 ALEXIS ELLIOTT,

5 Plaintiff,

6 v.

7 DERMATOLOGY & SKIN CANCER OF
8 LAS VEGAS,

9 Defendant.

Case No. 2:23-cv-01735-CDS-DJA

**ORDER SCHEDULING EARLY
NEUTRAL EVALUATION**

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11 This matter has been referred to the undersigned magistrate judge to conduct an Early
12 Neutral Evaluation pursuant to Local Rule 16-6. An Early Neutral Evaluation is, therefore,
13 scheduled for **June 6, 2025 at 10:00 a.m.** via Zoom video conference.

14 On **May 30, 2025**, parties and counsel must send—along with their confidential written
15 evaluation statement (*see* section IV)—their preferred e-mail address for the Zoom invitation to
16 judicial clerk Ashley Schobert at ashley_schobert@nvd.uscourts.gov. Parties and counsel should
17 prepare to participate in the Early Neutral Evaluation for the entire business day unless Judge
18 Weksler indicates otherwise.

19 Plaintiff and her counsel are expected to be online and ready to proceed with the
20 Settlement Conference at its scheduled time. Defendant and its counsel are expected to be online
21 and ready to proceed with the Early Neutral Evaluation **forty-five minutes after** the start time.
22 **Prior** to the Early Neutral Evaluation, parties may call chambers at (702) 464-5570 to resolve
23 any issues.

24 **I. Timeliness**

25 All parties and counsel are expected to be online and ready to proceed with the Early
26 Neutral Evaluation at its scheduled time. If anyone anticipates being late to the Early Neutral
27 Evaluation, they must give **prior** notice by contacting chambers at (702) 464-5570.
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1 **The entire written evaluation must not exceed 50 pages, including exhibits.** The
2 parties should not include as exhibits any items available on the case docket. A
3 citation to the ECF No. will suffice. **If either party desires to exceed these page**
4 **limits, they must seek the Court's approval.** The Court will not grant approval
5 unless the requesting party can establish how the additional pages will aid the Court
6 in helping the parties reach settlement.

- 7 • The written evaluation must briefly describe the substance of the suit and address the
8 party's views on the key liability and damages issues. **Each written evaluation must**
9 **contain the elements of each claim and an analysis discussing how the facts**
10 **relate to those elements.** Further, each party must discuss the strongest and weakest
11 points of their case, both factually and legally, including a candid evaluation of the
12 merits of their positions.
- 13 • The parties must each include a comprehensive history, if any, of settlement
14 negotiations occurring before the Early Neutral Evaluation. **The final paragraph of**
15 **the evaluation statement must contain the opening offer or demand that the**
16 **party will make at the Early Neutral Evaluation.**
- 17 • If there are documents, pictures, recordings, etc., out of which the underlying suit
18 arose, or whose availability would materially advance the purpose of the evaluation
19 session, the parties must include copies of those items as exhibits to their evaluation
20 statements. If a party desires to include deposition transcripts as an exhibit, the party
21 should include only excerpts that the party desires to emphasize.
- 22 • The written evaluation must estimate the costs (including attorney's fees and costs) of
23 taking the case from Early Neutral Evaluation through trial.
- 24 • Attach any arbitration provision that does or may apply to the case. The statement
25 must also certify whether the parties have discussed or agreed to arbitration and
26 identify the pertinent details.
- 27 • **Each party's written evaluation must be submitted electronically to judicial**

1 clerk Ashley Schobert at ashley_schobert@nvd.uscourts.gov by 4:00 p.m. on
2 May 30, 2025. The evaluation statement and each exhibit should be emailed as
3 separate attachments within the same e-mail. Do not deliver or mail the written
4 evaluations to the clerk's office and do **not** serve a copy on opposing counsel.

5 **IV. Electronic Devices**

6 **Recording the Early Neutral Evaluation proceedings is expressly prohibited.** All
7 participants are permitted to use their electronic devices to access information necessary to
8 participate in the Early Neutral Evaluation or while the undersigned caucuses with other parties.

9 **V. Sanctions**

10 Failure to comply with this Order's requirements may subject the noncompliant party to
11 sanctions under Local Rule IA 11-8 or Federal Rule of Civil Procedure Rule 16(f).

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13 DATED this 25th day of March 2025.

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16 BREND A WEKSLER
17 UNITED STATES MAGISTRATE JUDGE
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